



Ninety-Seventh Legislature - Second Session - 2002
Introducer's Statement of Intent
LB 1233

Chairperson: Senator DiAnna R. Schimek
Committee: Government, Military and Veterans Affairs
Date of Hearing: February 13, 2002

The following constitute the reasons for this bill and the purposes which are sought to be accomplished thereby:

This legislation proposes a legislative solution to the question of what entity would be responsible for the maintenance, repair, and management of the Bellevue toll bridge (the Bellevue GAR Memorial Bridge) when the existing bond indebtedness is paid and the authority for the Bellevue Bridge Commission to continue to collect tolls and operate the bridge expires.

A bridge commission is created by a city or county to exercise certain powers and duties relating to interstate bridges (Sec. 39-868 to Sec. 39-870). It is a separate and distinct political subdivision, authorized to exercise such powers as are necessary to accomplish the "charge" given to it by its creating subdivision.

In the case of the Bellevue Bridge Commission, it was created by the City of Bellevue in 1950 to "do and carry out all things necessary in connection with the construction of the [proposed] bridge..." which involved the issuance of revenue bonds to be paid off from the tolls to be collected through the operation of the bridge. The bridge was opened to public traffic in November of 1952, nearly fifty years ago.

By reasons of a long history of problems and miscalculations, payments are still being made on the original debt with the final payments scheduled to be made sometime with the next six or seven years. By reason of the nature of the original charge to the commission, it is believed that upon the completion of the payments, the Bridge Commission will be dissolved and the right to collect tolls will end.

The record does not reveal what the intent of the original parties was regarding this circumstance. Documents on file with the State Department of Roads evidence the formal intent of Mills County in Iowa to assume responsibility for the Iowa side of the bridge, but no such document exists regarding the Nebraska portion.

With a bridge that exhibits significant age-related problems that will require significant repair and maintenance, a deck which will require resurfacing, and major environmental remediation costs related to lead paint, it is important to determine who is best placed to address the costs and challenges and how to go about making the transfer from the Bridge Commission to some other responsible government entity.

Recognizing the importance of the larger tax base available to the county (as opposed to that of the City of Bellevue) and the county-wide nature of the economic impact that the facility has had over its lifetime, this legislation would transfer the bridge to Sarpy County as soon as the bonded indebtedness is paid in full.

Principal Introducer:

Senator D. Paul Hartnett